



W.P.No.7070 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.7070 of 2023

Mr.R.Narayanaswamy

...Petitioner

Vs

1.The District Collector,
Tiruvallur District, Tiruvallur – 602 001.

2.The District Revenue Officer,
SP Nagar, Tiruvallur District,
Tiruvallur - 602 003.

3.The Revenue Divisional Officer,
SP Nagar, Tiruvallur District,
Tiruvallur – 602 003.

4.The Tahsildar,
Tiruvallur District, Tiruvallur – 602 001.

5.Mrs.R.Mangaiarkarasi

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 4th respondent to conduct an enquiry and issue allotted patta to the petitioner based on the representation dated 27.12.2022.



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For Petitioner : Ms.S.Menaka

For R1 to R4 : Mr.Yogesh Kannadasan,
Special Government Pleader

ORDER

Heard Ms.S.Menaka, learned counsel for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader for the respondent 1 to 4.

2. Since this Court is directing the fourth respondent to consider the petitioner's representation, after giving opportunity to the fifth respondent, notice to the fifth respondent is hereby dispensed with.

3. The petitioner herein had given a representation to the fourth respondent on 27.12.2022, seeking for issuance of Patta. Since the said representation was not considered, the present Writ Petition has been filed.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the



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respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the fourth respondent herein to consider the petitioner's representation dated 27.12.2022, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner as well as the fifth respondent and any other person who may be interested in the subject property, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.



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M.S.RAMESH,J.

hvk

6. With the above direction, the Writ Petition stands ordered. No costs.

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Index:Yes/No

Neutral Citation:Yes/No

Speaking order/Non-speaking order

hvk

To

- 1.The District Collector,
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- 2.The District Revenue Officer,
SP Nagar, Tiruvallur District,
Tiruvallur - 602 003.
- 3.The Revenue Divisional Officer,
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